IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Philip Stephen Smith, et al.	Examiner:	Ryan Hsu
Serial No.	10/764,827	Group Art Unit:	3711
Filed:	January 26, 2004	Docket No.	PA0958.ap.US
Title:	ELECTRONIC GAMING MACHINE WITH ARCHITECTURE SUPPORTING A VIRTUAL DEALER AND VIRTUAL CARDS		

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The following documents are hereby submitted:

☒ Appeal Brief to the Board of Patent Appeals and Interferences of the United States Patent and Trademark Office
☒ Authorization to withdraw $500.00 to cover Appeal Brief Fee
☒ Transmittal Sheet
☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers if an additional extension of time is deemed necessary by the Office. Authorization is hereby given to charge Deposit Account Number 50-1391 if such additional extension is necessary.

MARK A. LITMAN & ASSOCIATES, P.A. By: _____
York Business Center, Suite 205, 3209 W. 76th St. Atty: Mark A. Litman
Edina, MN 55435 (952-832-9090) Reg. No. 26,390

BRIEF ON APPEAL
Serial Number: 10/764,827
Filing Date: 26 January 2004
Title: ELECTRONIC GAMING MACHINE WITH ARCHITECTURE SUPPORTING A VIRTUAL DEALER AND VIRTUAL
CARDS

Page 1 of 27
Docket No.: PA0958.ap.US

<u>**S/N 10/764,827**</u>   **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Philip Steven Smith et al.   Examiner: HSU, Ryan

Serial No.: 10/764,827   Group Art Unit: 3714

Filing Date: **26 January 2004**   Docket: PA0958.ap.US

Title: **ELECTRONIC GAMING MACHINE WITH ARCHITECTURE
SUPPORTING A VIRTUAL DEALER AND VIRTUAL CARDS**

MAIL STOP: APPEAL BRIEF - PATENTS
P.O. BOX 1450
Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

The U.S. Patent and Trademark Office is hereby authorized to debit any costs and

fees associated with this Petition to Deposit Account No. 50-1391. Appellant(s) is

submitting this single copy of the Appeal Brief in Compliance with the requirements of

37 CFR 41.37(c). Appellant requests a personal appearance at the Board of Appeals, but

will defer payment of the fee until after receipt of the Examiner's Amendment.

Title: ELECTRONIC GAMING MACHINE WITH ARCHITECTURE SUPPORTING A VIRTUAL DEALER AND VIRTUAL CARDS

TABLE OF CONTENTS

BRIEF ON APPEAL
Serial Number: 10/764,827
Filing Date: 26 January 2004
Title: ELECTRONIC GAMING MACHINE WITH ARCHITECTURE SUPPORTING A VIRTUAL DEALER AND VIRTUAL
CARDS

Page 3 of 27
Docket No.: PA0958.ap.US

REAL PARTY IN INTEREST

The real party in interest in this Appeal is the assignee of the full right, title and interest in this Application, Shuffle Master, Inc., having a place of business at 1106 Palms Airport Drive, Las Vegas, Nevada 89119-3730.

BRIEF ON APPEAL
Serial Number: 10/764,827
Filing Date: 26 January 2004
Title: ELECTRONIC GAMING MACHINE WITH ARCHITECTURE SUPPORTING A VIRTUAL DEALER AND VIRTUAL CARDS

Page 4 of 27
Docket No.: PA0958.ap.US

RELATED APPEALS AND INTERFERENCES

The Appellant(s), the legal representative prosecuting this application and Appeal, and the assignee are not aware of any Appeals or Interferences that will directly affect or have a bearing on the Board's of Patent Appeals and Interferences decision in this pending Appeal.

STATUS OF CLAIMS

Claims 1-25, all of the claims in the Application, have been rejected. The basis of all the rejections in this Application are identified below:

1) Claims 1-5, 7-24 and 26-29 have been rejected as lacking novelty with respect to Miyamoto et al. (US Patent No. 6,607,443 B1).

2) Claims 25 and 30-40 have been rejected as being obvious over Miyamoto et al. (as applied above) when further considered with Matsumoto et al. (US Patent 5,497,461).

STATUS OF AMENDMENTS

No Amendments were filed in this Application after final rejection. All amendments
filed during the course of ordinary prosecution have been entered without objection.

SUMMARY OF CLAIMED SUBJECT MATTER

Claims 1 and 22 are the only independent claims in this Appeal.

Claim 1 defines an automated gaming system comprising a gaming table and an upright video display panel. The upright video panel provides a a virtual image of a dealer. The gaming table has an upper surface, the upper surface having a substantially horizontal video display surface that provides a common video display and at least two different player positions, so that multiple individual players can play at different positions with individual monitors or individual touch-screen areas against a virtual dealer in a single round of play (**Page 13, line 27 through page 14, line 6**).

At least one player position has at least one local processor dedicated to the at least one player position that is capable of executing code (**Page 13, line 27 through page 14, line 6; page 16, lines 4-5**).

At least one main game processor and optionally at least one additional game display processor is in information communication with the upright video display panel and the video display surface (**Page 24, line 20 through page 25, line 4**).

The main processor or at least one display processor: directs video display on both the upright video display panel and the video display surface (**Original claim 1; page 16, lines 16-27**), provides game rules for the play of at least one casino table card game without the use of physical cards on the table (**Original claim 1; page 16, lines 16-27; Abstract of the Disclosure**); and communicates with each local processor (**Original claims 1 and 3; page 16, lines 16-27; page 30, lines 6-13; **).

Claim 22 describes an automated gaming system comprising a gaming table and an upright video display panel comprising:

an upright video display panel, the panel displaying a virtual image of a dealer; (**Page 13, line 27 through page 14, line 6**)

a table having an upper surface, the upper surface having a substantially

horizontal video display surface that provides a continuous field of video display

and at least two different player positions; (**Page 13, line 27 through page 14,**

line 6) and

at least one main game processor and optionally at least one additional game

display processor in information communication with the upright video display panel and

the video display surface, (**Page 24, line 20 through page 25, line 4; original claim 1**)

the main processor or at least one display processor directing video

display on both the upright video display panel and the video display surface, and

the main game processor providing game rules for the play of at least one casino

table card game without the use of physical cards on the table; (**Original claim 1;**

page 16, lines 16-27; Abstract of the Disclosure)

and a plurality of player stations, each player station having its own local

processor that executes code. (**Page 13, line 27 through page 14, line 6; page 16, lines**

4-5)

The gaming system of the present claims on Appeal simulates complete play of

events in a casino table card wagering game, such as blackjack, poker, poker variants,

baccarat, and other wagering games where there has traditionally been a dealer, whether

or not the dealer is an active player in the game. At least two distinct video areas are

preferably provided, one relatively upright video display providing video images of a

dealer, and the second relatively horizontal video display providing a common game

surface, including a simulation of a table top for player cards, and optionally also dealer

cards, on a series of monitors or a single screen. The players have individual play areas

with player input, and these play areas have individual processing intelligence that

communicates directly with a main game computer in a novel manner. (**Page 13, line 27**

through Page 14, line 6)

By separating intelligent functions, processing power requirements are reduced in a main processor and only game functions need to be included in the game processor or main computer, instead of requiring them to also execute player input information. (**Page 16, lines 1-27**). This also simplifies replacement of peripheral devices and the separate player position intelligence, which could be "plug-in' replaced rather than having the entire table system again subject to Gaming Jurisdiction inspection and certification, as these peripherals and separate player position controls do not execute game outcome functions.

BRIEF ON APPEAL
Serial Number: 10/764,827
Filing Date: 26 January 2004
Title: ELECTRONIC GAMING MACHINE WITH ARCHITECTURE SUPPORTING A VIRTUAL DEALER AND VIRTUAL CARDS

Page 10 of 27
Docket No.: PA0958.ap.US

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Solely for the purposes of expediting this Appeal and complying with the requirements of 37 C.F.R. 1.192(c)(7), the following grouping of claims is presented. This grouping is not intended to constitute any admission on the record that claims within groups may or may not be independently asserted in subsequent litigation or that for any judicial determination other than this Appeal, the claims may or may not stand by themselves against any challenge to their validity or enforceability.

1) Claims 1-5, 7-24 and 26-29 have been rejected as lacking novelty with respect to Miyamoto et al. (US Patent No. 6,607,443 B1).

2) Claims 25 and 30-40 have been rejected as being obvious over Miyamoto et al. (as applied above) when further considered with Matsumoto et al. (US Patent 5,497,461).

ARGUMENT

1) Claims 1-5, 7-24 and 26-29 have been rejected under 35 USC 102(b) as lacking novelty with respect to Miyamoto et al. (US Patent No. 6,607,443 B1).

It must be clearly understood that in presenting a rejection under 35 USC 102(b) that it is asserted that each and every limitation in each of these claims is taught within the confines of the single cited reference. It will be clearly shown that this assertion in the rejection is in error.

Technical Background

Some very simple and basic Miyamoto signaling technology must be appreciated in reviewing these arguments and understanding the failure of the Miyamoto reference. Many common electronic devices do not have intelligence, defined herein in the specification as the ability to execute code. For example, a microphone receives sound waves and converts them to electrical signals, but exercises no intelligence. A light sensitive array similarly receives light and converts the light to electrical signals without any intelligence. A switch or button responds to forces and provides electrical signals without any intelligence.

The execution of code requires an ability to receive data, perform an intelligent operation on that data through data processing techniques and to forward or store the processed data.

The underlying issue in this rejection is that Applicants assert that the claims require a processing board dedicated to a player position (operates solely on data provided from that position) capable of executing code. In its broadest recited context in Claim 1, this limitation is present as:

"...at least one player position having at least **one local processor dedicated to the at least one player position** that is capable of executing code..."

There is no such system in Miyamoto et al. Miyamoto has multiple player positions, each with essentially switches and signal creators (which the rejection **erroneously** asserts is equivalent to the capability of executing code), and each of these separate, unintelligent, non-processing elements are connected to a single motherboard (element **6** in Figure 1 of Miyamoto et al. and as described at Column 4, lines 7-26). It is absolutely critical to an appreciation of the disclosure of Miyamoto et al. that every player input, which is merely a signal treated by the player and not processed data, is fed to a single processor, the motherboard **6** That construction does not anticipate the claimed subject matter. A communal processor (the motherboard **6** of Miyamoto) is not **dedicated to the at least one player position**. It is shared amongst multiple positions.

The showing by Miyamoto et al. does not anticipate the broadest recitation by the claims of this novel feature and no other asserted disclosure of Miyamoto et al. has been asserted to show this limitation..

Assertions in the Final Rejection

The final rejection asserts that specific teachings in Miyamoto et al. anticipate recitations in the claims with respect to these intelligent devices dedicated to individual player positions, but it will be demonstrated that no cited portion of Miyamoto does in fact provide anticipatory teachings of that limitation.

Page 3, lines 11-13 asserts that "Miyamoto discloses a gaming system wherein each player position has an individual player processing board that is capable of executing code and is dedicated to that position (*see Figs. 9, 13 and the related description thereof, col. 2: ln 41-64*) (emphasis natural).

Figure 9 shows three elements that might be asserted in this rejection under this rejection as showing this feature, although no specific element is identified: **12, 29** and **30**. Element **12** is a "token receptacle," which is nothing but a box into which coins are dropped as winnings (Column 4, lines 36-40). There is no basis for asserting that this is a device capable of executing code.

Element **29** is a control indicator panel comprising a switch or button for entering commands (Column 10, lines 50-54). There is no basis for asserting that this is a device capable of executing code.

Element **30** is described in greater detail as an optical input means. The optical input means **30** is shown to have a photoemitter, light receptor, LED substrate, light-emitting diodes, blocking plate, supports, glass plates, and the like (Column 10, line 55 through column 11, line 28). There is no basis for asserting that this is a device capable of executing code.

The "related description thereof" also fails to teach this limitation. The description on column 2, lines 41-64 does not refer to these elements of the figures (while the portions cited above by Appellants do specifically recite to that Figure 9 and those elements). The "description" on column 2 is a general overview of technology and at no time refers to intelligence *dedicated* to individual player positions. Rather it states that signals from player inputs are sent to a first central computer and communicated with a game controller as a separate computer. That portion of the specification merely states that there are individual player control means (switches), not individual intelligent devices dedicated to each player position.

The asserted teaching within Figure 9 and the descriptions in the specification thereof are clearly unable to anticipate claims 1 and 22.

Figure 13 is, first of all, not described by the disclosure on column 2, lines 41-64 and the reasons for the failure of that portion of the specification in providing any teaching of an intelligent device dedicated to a player position are repeated with respect

to Figure 13. The actual content of the description of Figure 13 will therefore be
reviewed.

Figure 13 is a description of an alternative construction (satellite control) of the
individual elements **19** and **30** already described in Figure 9 (and which were clearly
shown above to lack the intelligent device dedicated to the individual player position).
These devices are again player input controls **29** (again identified as switches or buttons,
which do not have code executing capability), and optical control input means **30** (with
similar parts recitations as given in Figure 9). Again, there is nothing in the disclosure of
Figure 13 on column 10, line 42 through column 11, line 28 which even hints at an
intelligent device dedicated to a player position.

**It is therefore absolutely clear that no portion of the teachings of Miyamoto
to which the Office Actions have referred as a teaching of an intelligent device
dedicated to a player position provide such a disclosure. Each of these elements is a
'dumb' element that does not execute code. These claims, all of the claims, cannot
be anticipated.**

Claim 22 is even more explicit in asserting a requirement that:

"...a plurality of player stations, each player station having its own local
processor that executes code."

**Each and every argument presented above with respect to claim 1 specifically
applies to establishing novelty in claim 22 and each claim dependent therefrom.**

Applicants agree that the communal motherboard of Miyamoto executes
programs. However, that communal processor, which is the only processor shown by
Miyamoto in direct communication by player activities, cannot anticipate this limitation
that each player station has its **own local processor** that executes code. That limitation is
not anticipated by a single communal processor. This is a significant structural difference

and functional difference of the equipment, and those differences offer significant

technical and commercial advantages in the use of the claimed system.

In gaming regulatory controls, any device that performs game operations

(determines game play outcomes, determines winning events, provides random number

generation, applies game rules, and the like) must receive regulatory approval when

installed or when replaced. Existing systems, by putting all processor functions

(including executing code from peripherals that do not perform game operations (such as

bet sensing, image display, audio output, and the like) into a game processor would

require that upon defect of any part feeding data that must be executed by code within the

game processor, the entire gaming system must be inspected and recertified. By placing

peripheral non-game data into the intelligent devices dedicated to each player position, so

that signals are not processed on these signals in the game processor, any defect in these

peripherals may be repaired by dropping in the replacement intelligent device or sensor,

and there would be no requirement for recertification as nothing was changed with

respect to game processing. This would enable tables to be serviced and placed back into

service in minutes as opposed to days to have jurisdictional certification of the entire

system by calling in outside regulatory certifiers. This is a significant technical

difference and commercial benefit not available from Miyamoto et al.

Contrary to the Response to Arguments on pages 10-11 of the Office Action,

Applicants have never argued that Miyamoto fails to show any processor that executes

code. Rather, Applicants have consistently argued that Miyamoto does not show a

processing board dedicated to a single player position, and each of the multiple player

positions having **its own local processor** that executes code.

Applicants have further pointed out that the local signaling elements (e.g.,

speakerphone) provided at each player position is not a processing board, and all of the

non-processing signaling capability of each player is connected to a communal

processing board (motherboard **6**). Every argument presented in the Response to

Arguments section asserts or implies that the "terminals" at each player position is a processing board capable of executing code. That is error. Miyamoto shows electrical signal generating elements that send the signals to a communal motherboard **6** where the electrical signals are processed.

It is important to note that the capability entailed in the recitation of "executing code" demands the capability of rendering a decision. The functions attached to the sensors of Miyamoto never enable, require or suggest decision making capability as embodied in code execution. Microphones (which receive sound and emit an electrical signal, as did the original telephone of Alexander Graham Bell, necer makes a decision or executes code, but merely and literally transforms formats of energy (air waves to electrical pulses). The rejection of these claims under 35 USC 102(b) as anticipated by Miyamoto et al. is clearly in error.

2) Claims 25 and 30-40 have been rejected as being obvious over Miyamoto et al. (as applied above) when further considered with Matsumoto et al. (US Patent 5,497,461).

As the Response and the underlying rejection fail to provide references that specifically identify local processing boards dedicated to individual player positions, the rejection under 35 USC 102(b) must fail. As Matsumoto et al. (US Patent 5,497,461) has not been cited to show and does not show local processing boards dedicated to individual player positions, the rejection under 35 USC 103(a) must also fail.

The subject matter of these claims, even assuming that Matsumoto et al. (US Patent 5,497,461) teaches the subject matter specific to these dependent claims (which is not conceded), it still does not show the dedicated processor limitations that have been shown to be absent from the teachings of the first Miyamoto et al. reference. As there is absolutely no basis of record for asserting a basis of an intelligent device dedicated to a player position, the claimed subject matter cannot be obvious to one skilled in the art.

RESTATEMENT OF ARGUMENTS MADE IN LAST RESPONSE

The Examiner points to column 2, lines 41-64; and column 14, lines 4-49 of

Miyamoto et al. for a teaching of an individual processing board (intelligence) at each

player position. The specific disclosure states:

> "The game device which pertains to the present invention a provides a
> game device which executes a prescribed game program corresponding to
> information entered by players, comprising: means for recognizing voices
> and/or actions made by the players; means for determining conditions of
> recognized voices and/or actions; and processor for performing response
> processing corresponding to the conditions of recognized voices and/or
> actions." (Column 2, lines 10-14); and

> "FIG. 21(B) depicts an example in which one additional sensor is placed
> between sensors 401b and 401c, and FIG. 21(C) depicts an example in
> which one additional sensor is placed adjacent to sensor 401a. The details
> of sensor operation will be described in detail shortly, after presenting a
> brief description of the function of the additional sensors shown in FIG.
> 21(B) and FIG. 21(C). The additional sensor shown in FIG. 21(B) is used
> for accurate detection of hand movement in the sideways direction
> (STAND command). A STAND command decision is made where an
> object is sensed in the order: sensor 401b.fwdarw.401.fwdarw.401c (or the
> reverse). Conversely, a STAND command decision is not made where he
> object is sensed in the order: sensor 401a.fwdarw.401.fwdarw.401b (or
> 401c) (a HIT command, decision, described shortly, is made, or example).
> The additional sensor in FIG. 21(C) is used for accurate detection of
> movement of the hand placing it in a prescribed location (HIT command).
> When an object is sensed by either sensor 401a or 401, and the sense
> interval continues for a relatively long period of time, a HIT command is
> posited. The additional sensor ensures reliable sensing even if hand
> position is out of place to a certain extent." (Column 14, lines 4-49)

These teachings do not provide even a suggestion of the presence of a processing board

executing code dedicated at each player position. The functions provided by the sensors

in the Miyamoto disclosure are little more than 'button' functions, such that when

stimulated, an electrical signal is sent. One signal (disclosed in the column 14 disclosure)

BRIEF ON APPEAL
Serial Number: 10/764,827
Filing Date: 26 January 2004
Title: ELECTRONIC GAMING MACHINE WITH ARCHITECTURE SUPPORTING A VIRTUAL DEALER AND VIRTUAL
CARDS

Page 18 of 27
Docket No.: PA0958.ap.US

is essentially only that light is being blocked. This is a direct sensitivity reading (hence a sensor is used, not a processor executing code) and does not imply, suggest, teach or instruct the use of a dedicated processing board executing code at each player position.

The same can be said for the disclosure of the voice sensing system of column 2, where the pitch and volume and length of a sound are signaled. There is no intelligence function or code execution. This is nothing more than a direct transmittal of received sound by a signal indicating the received signal.

It is to be noted that the present specification describes intelligence as:

> "...**the ability to execute code**, either provided in the form of software or hardware circuits. Such processing may at least comprise some of signal converting (e.g., signals from player card readers, credit deposit, currency readers, coin readers, touch screen signals, control panel signals) into a signal that can be included in an information packet and interpreted by the main game computer when the signal is sent."

The sensors in Miyamoto et al. do not perform any such conversion function in which any decision is made by the apparatus and do not execute code in any manner. The issuance of the STAND or HIT commands described in these sections is made in the game processor or main processor after receipt of the sensed (unprocessed) information from the sensors. There is no disclosure of the presence of dedicated processor boards at the player positions. The sensors do no more than signal detection in terms of raw responses such as: Light is sensed; light is not sensed, sound is heard, sound is not heard; sound volume is {1-10}; length of sound is [1-10] seconds; etc. This is not performance of any intelligence function, but merely transmission of a signal in direct response to stimulus without modification. The term "to execute code" or its equivalence has been added to all independent claims. This single limitation is by itself sufficient to overcome the rejection under 35 USC 102(b).

There is no basis from the references of record in the rejection under 35 USC 102(a) for asserting this difference to be obvious from the teachings of those references. There are significant benefits of this construction that are not taught by the references or

the art of record. These benefits include at least the ability to modularize the wagering device so that individual player units can be replaced for some significant device malfunctions without having to reprogram the entire system, without having to have the entire unit reapproved by gaming oversight functions, and to reduce the distal computing power needed in the game processor or main processor by distributing the dedicated processor boards and their intelligence functions. The local processor also enables the entire reporting function of the system with the main computer to operate more quickly. These are significant technical advantages enabled by the use of the local processor that executes codes, a structure that is not taught by Miyamoto et al.

The rejection is in error on a fundamental limitation recited in every claim. There is no teaching of individual player position processors at a multi-player video format system with a common screen such as that recited in the claims. The rejection is therefore clearly in error and must be withdrawn.

The rejections of record are in error and must be withdrawn.

CONCLUSION

All rejections of record have been shown in detail to be in error. The rejection should be reversed and all claims should be indicated as allowable.

Applicants believe the claims are in condition for allowance and request reconsideration of the application and allowance of the claims. The Examiner is invited to telephone the below-signed attorney at 952-832-9090 to discuss any questions that may remain with respect to the present application.
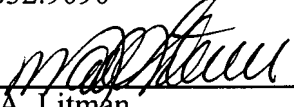
Respectfully submitted,
PHILIP SMITH et al.

By their Representatives,
MARK A. LITMAN & ASSOCIATES, P.A.
York Business Center, Suite 205
3209 West 76th Street
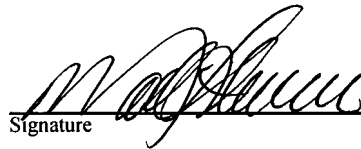Edina, MN 55435
(952)832.9090

Date 21 May 2007   By _____
                         Mark A. Litman
                         Reg. No. 26,390

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Box: APPEAL BRIEF - PATENTS, P.O. BOX 1450; Commissioner for Patents, Alexandria, VA 22313-1450 on **MAY __21___, 2007.**

Name: Mark A. Litman   Signature _____

CLAIMS APPENDIX

1. (PREVIOUSLY PRESENTED) An automated gaming system comprising a gaming table and an upright video display panel comprising:

an upright video display panel, the panel displaying a virtual image of a dealer;

a table having an upper surface, the upper surface having a substantially horizontal video display surface that provides a common video display and at least two different player positions;

at least one player position having at least one local processor dedicated to the at least one player position that is capable of executing code; and

at least one main game processor and optionally at least one additional game display processor in information communication with the upright video display panel and the video display surface, the main processor or at least one display processor

directing video display on both the upright video display panel and the video display surface,

providing game rules for the play of at least one casino table card game without the use of physical cards on the table; and

communicating with each local processor.

2. (PREVIOUSLY PRESENTED) The automated gaming system of claim 1 wherein each player position has an individual player processing board that executes code and is dedicated to that position.

3. (PREVIOUSLY PRESENTED) The automated gaming system of claim 1 wherein each individual local processor communicates directly with the main game processor.

4. (PREVIOUSLY PRESENTED) The automated gaming system of claim 1 wherein each individual player processing board communicates directly with a single Dealer game engine processor.

5. (ORIGINAL) The automated gaming system of claim 4 wherein the single Dealer game engine processor communicates directly with the display processor.

6. (ORIGINAL) The automated gaming system of claim 1 wherein the main game processor contains data enabling the play of at least three different casino table games wherein cards are used in the play of each of the games.

7. (ORIGINAL) The automated gaming system of claim 1 wherein the video display surface has changeable light filtering that can screen displayed images from various angles.

8. (ORIGINAL) The automated gaming system of claim 7 wherein the light filtering can be changed upon command by the processor.

9. (ORIGINAL) The automated gaming system of claim 7 wherein the light filtering can be changed upon external command.

10. (PREVIOUSLY PRESENTED) The automated gaming system of claim 1 wherein player input is provided at least in part by controls at each player position.

11. (ORIGINAL) The automated gaming system of claim 10 wherein the controls comprise touch screen controls.

12. (ORIGINAL) The automated gaming system of claim 10 wherein the controls comprise a panel embedded into the video display surface.

13. (ORIGINAL) The automated gaming system of claim 10 wherein additional player input can be provided from player input provided on a surface below the video display surface and facing a position where players are to be seated.

14. (PREVIOUSLY PRESENTED) The automated gaming system of claim 11 wherein additional player input can be provided from player input provided on a surface below a surface having player controls thereon and facing a position where players are to be seated.

15. (ORIGINAL) The automated gaming system of claim 12 wherein additional player input can be provided from player input provided on a surface below the video display surface and facing a position where players are to be seated.

16. (PREVIOUSLY PRESENTED) The automated gaming system of claim 2 wherein communication between the main game processor and the local processor is performed through a transaction-based protocol.

17. (PREVIOUSLY PRESENTED) The automated gaming system of claim 16 wherein either the main game processor or each local processor can start a transaction.

18. (PREVIOUSLY PRESENTED) The automated gaming system of claim 4 wherein communication between the main game processor each local processor is performed through a transaction-based protocol.

19. (PREVIOUSLY PRESENTED) The automated gaming system of claim 18 wherein either the main game processor or each local processor can start a transaction.

BRIEF ON APPEAL
Serial Number: 10/764,827
Filing Date: 26 January 2004
Title: ELECTRONIC GAMING MACHINE WITH ARCHITECTURE SUPPORTING A VIRTUAL DEALER AND VIRTUAL
      CARDS

Page 24 of 27
Docket No.: PA0958.ap.US

20. (PREVIOUSLY PRESENTED) The automated gaming system of claim 10 wherein each local processor comprises an individual player processing board dedicated to that position and communication between the main game processor and the individual player processing board is performed through a transaction-based protocol.

21. (PREVIOUSLY PRESENTED) The automated gaming system of claim 20 wherein either the main game processor or the individual player processing board can start a transaction.

22. (PREVIOUSLY PRESENTED) An automated gaming system comprising a gaming table and an upright video display panel comprising:

an upright video display panel, the panel displaying a virtual image of a dealer;

a table having an upper surface, the upper surface having a substantially horizontal video display surface that provides a continuous field of video display and at least two different player positions; and

at least one main game processor and optionally at least one additional game display processor in information communication with the upright video display panel and the video display surface, the main processor or at least one display processor directing video display on both the upright video display panel and the video display surface, and the main game processor providing game rules for the play of at least one casino table card game without the use of physical cards on the table;

and a plurality of player stations, each player station having its own local processor that executes code.

BRIEF ON APPEAL
Serial Number: 10/764,827
Filing Date: 26 January 2004
Title: ELECTRONIC GAMING MACHINE WITH ARCHITECTURE SUPPORTING A VIRTUAL DEALER AND VIRTUAL
CARDS

Page 25 of 27
Docket No.: PA0958.ap.US

23. (PREVIOUSLY PRESENTED) The gaming system of claim 22 wherein each player station and the main game processor are in communication.

24. (PREVIOUSLY PRESENTED) The gaming system of claim 23 wherein the communication is event driven.

25. (PREVIOUSLY PRESENTED) The gaming system of claim 24 wherein information communicated is included in an information packet.

EVIDENCE APPENDIX

No supplemental or extrinsic evidence was submitted in the prosecution of this Application that is material to the Appeal.

BRIEF ON APPEAL
Serial Number: 10/764,827
Filing Date: 26 January 2004
Title: ELECTRONIC GAMING MACHINE WITH ARCHITECTURE SUPPORTING A VIRTUAL DEALER AND VIRTUAL CARDS

Page 27 of 27
Docket No.: PA0958.ap.US

RELATED PROCEEDINGS APPENDIX

Appellants and their counsel are not aware of any related proceedings that would have any direct bearing on the issues in this appeal or any matters collateral to this Application which would impact this Appeal.